

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DR. CHRISTOPH BÖLLING, *et al.*,

Plaintiffs,

v.

DENDREON CORPORATION, *et al.*,

Defendants.

Case No. C13-0872RSL

ORDER DENYING PLAINTIFFS'
MOTION TO SEAL

This matter comes before the Court on “Plaintiffs’ Motion to File Material in Complaint Provisionally Under Seal.” Dkt. # 2. On May 16, 2013, the Court received for filing a cover letter, a redacted version of plaintiffs’ complaint, the motion to seal, a civil cover sheet, and the filing fee. Contrary to the representations contained in the letter, a second version of the complaint - presumably unredacted and to be filed under seal - was not attached. The Clerk of Court has filed the redacted version of the complaint as the operative pleading in this case.

Plaintiffs seek permission to file an unredacted version of the complaint under seal. Having reviewed plaintiffs’ motion to seal and the redacted complaint, the Court finds as follows:

(1) “There is a strong presumption of public access to the court’s files,” and, absent a “compelling showing that the public’s right of access is outweighed by the interests of the public and the parties,” a seal is not appropriate. Local Civil Rule 5(g)(2). Plaintiffs have not supported their request to file an unredacted version of the complaint under seal: in fact, they

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1 affirmatively assert that they “do not believe that the Complaint contains any information that is
2 business sensitive.” Dkt. # 2 at 2. Nor is there any reason to assume that statements made by
3 defendants’ former employees regarding defendants’ state of mind would be protected from
4 disclosure under state or federal law. A party’s unilateral concern that a document may be
5 “confidential” does not, in and of itself, establish the necessary “compelling showing” under
6 Local Civil Rule 5(g)(2). In the absence of any discussion regarding the actual confidentiality of
7 the information, the possible implications of public disclosure, and the public’s interest in access
8 to these records, the Court will not assume that sealing an unredacted version of the complaint is
9 justified.

10 (2) The redacted version of the complaint (Dkt. # 1) is and shall remain publicly
11 accessible. Plaintiffs are advised, however, that the redacted materials are not part of the
12 allegations in this case and cannot be relied upon for any purpose.

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14 For all of the foregoing reasons, plaintiffs’ motion to seal (Dkt. # 2) is DENIED.

15 Dated this 22nd day of May, 2013.

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18 Robert S. Lasnik
19 United States District Judge
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